

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**JUDGE CAROLINE M. CRAVEN  
LAW CLERK JENNIFER ORGERON  
COURTROOM DEPUTY LYNN SIEBEL  
COURT REPORTER SHAWNA GAUNTT-HICKS**

**BLUE SPIKE, LLC**

**v.**

**AUDIBLE MAGIC CORPORATION**

§  
§  
§  
§  
§

**CASE NO. 6:15cv584**

**COUNSEL FOR PLAINTIFF: See sign-in sheet  
COUNSEL FOR DEFENDANTS: See sign-in sheet**

**08/25/15**

On this day, came the parties by their attorneys, the following proceedings were held in Texarkana, TX:

<b>TIME</b>	<b>MINUTES</b>
10:00 am	<p>Matter called for hearing on :</p> <p><b>Audible Magic Corporation's and its Customers' Motion for Partial Summary Judgment Based on License (#11)</b></p> <p><b>Audible Magic Corporation's Motion for Voluntary Dismissal Without Prejudice or in the Alternative Amend its Infringement Contentions (#12)</b></p> <p><b>Audible Magic Corporation's Motion for Summary Judgment of Noninfringement (#13)</b></p> <p><b>Blue Spike, LLC, Blue Spike, Inc., and Scott Moskowitz's Motion for Summary Judgment on Audible Magic Counterclaims 9 - 13 (#14)</b></p>
	Attorney announcements.
	Mr. Chris Honea presents <b>Blue Spike, LLC, Blue Spike, Inc., and Scott Moskowitz's Motion for Summary Judgment on Audible Magic Counterclaims 9 - 13 (#14)</b>

10:05	Mr. Gabe Ramsey responds on behalf of Defendant and presents <b>Audible Magic Corporation's Motion for Voluntary Dismissal Without Prejudice or in the Alternative Amend its Infringement Contentions (#12)</b>
10:37	Mr. Honea replies.
10:39	Mr. Kirk Anderson responds to <b>Audible Magic Corporation's Motion for Voluntary Dismissal Without Prejudice or in the Alternative Amend its Infringement Contentions (#12).</b>
10:50	Mr. Ramsey responds.
10:57	Mr. Anderson replies.
10:58	Break
11:10	Reconvene. Mr. Ramsey presents <b>Audible Magic Corporation's Motion for Summary Judgment of Noninfringement (#13)</b>
11:50	Mr. Anderson responds.
	Mr. Anderson refers to page 780 line 18 of deposition of Moscovitz
	Court asks Mr. Anderson to address testimony of Moscovitz on 25.
	Mr. Anderson responds.
12:13	Mr. Ramsey replies.
12:21	Mr. Anderson responds. (Reads pages 4, 6 of Exhibit 2)
12:26	Mr. Ramsey replies.
12:29	Break
12:55	Reconvene. Mr. Chris Higgins presents <b>Audible Magic Corporation's and its Customers' Motion for Partial Summary Judgment Based on License (#11).</b>
1:18	Mr. Honea responds.
1:20	Mr. Higgins replies.
1:22	Mr. Honea responds.
1:23	Order within next 3 weeks.
1:24	Adjourn.

[illegible]